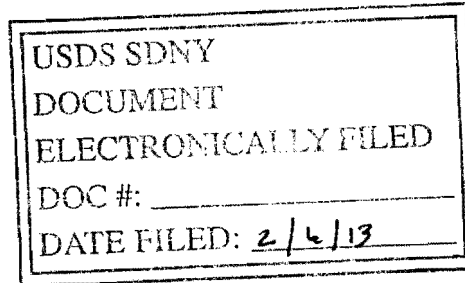


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February 1, 2013

VIA HAND DELIVERY

Honorable James C. Francis
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Deangelis v. Corzine et al., 11 Civ. 7866 (VM) (JCF) (Consolidated)

Dear Judge Francis:

We represent Jon S. Corzine and write on behalf of all parties in the Securities Action, the Commodity Customer Class Action and the *Sapere* Action¹ to advise the Court that they have agreed to attempt to mediate their respective disputes before the Honorable Daniel Weinstein. In addition to the parties to these actions, counsel for Louis Freeh, the Chapter 11 Trustee of MF Global Holdings Ltd, has advised us that the Chapter 11 Trustee, who contends that he has claims against certain of the defendants already named in the above-referenced action, intends to participate in the mediation. Counsel for James Giddens, the SIPA Trustee of MF Global Inc., may also participate.

The parties are working with Judge Weinstein to develop a framework for the mediation, and Judge Weinstein will arrange for dates to meet or speak with the parties (separately or in groups, depending on the framework of the mediation and on the parties' schedules and that of Judge Weinstein) and to receive submissions from them, as appropriate. We understand that Judge Weinstein will be in discussions with the parties about potential dates in March.

Accordingly, the parties respectfully request that the Court enter a stay of all proceedings in these actions, including a stay of discovery in the *Sapere* Action and the Commodity Customer Class Action for sixty (60) days,² except that the defendants in the Securities Action will be required to file their reply memoranda in connection with their motions to dismiss the complaint on February

¹ A copy of this letter has been sent by email to counsel for all parties in the Securities Action, the Commodity Customer Class Action and the *Sapere* Action.

² Discovery is stayed in the Securities Action pursuant to 15 U.S.C. § 78u-4(b)(3)(B).



Hon. James C. Francis
February 1, 2013
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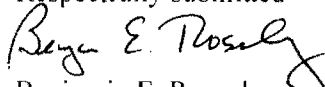
1, 2013. The parties will advise the Court before the expiration of the stay whether they believe the stay should be continued.

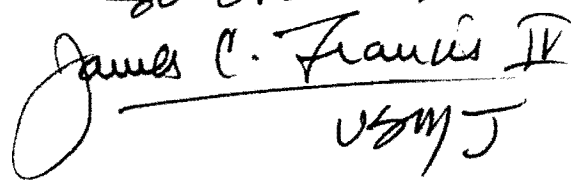
To ensure that no party is prejudiced by a stay should mediation prove unsuccessful, we further request that the following schedule apply to pending matters in the event that the Court enters an order lifting the stay:

- (i) Responses to all outstanding discovery requests in the Commodity Customer Class Action and the initial disclosures in the *Sapere* Action shall be served 14 days after entry of an order lifting the stay;
- (ii) Plaintiffs' responses to defendants' motions to dismiss in the Commodity Customer Class Action shall be filed 45 days after entry of an order lifting the stay;
- (iii) Defendants' reply in support of their motions to dismiss in the Commodity Customer Class Action shall be filed 30 days after the Plaintiffs' responses are filed;
- (iv) Defendants' motions to dismiss in the *Sapere* Action shall be filed 45 days after entry of an order lifting the stay;
- (v) Plaintiff's response to defendants' motions to dismiss in the *Sapere* Action shall be filed 60 days after Defendants' motions are filed; and
- (vi) Defendants' reply in support of their motions to dismiss in the *Sapere* Action shall be filed 30 days after Plaintiff's response is filed.

We have shared this letter with counsel copied below, and all have agreed to the submission of this letter on their behalf.

Respectfully submitted


Benjamin E. Rosenberg

2/6/13
Application granted.
SO ORDERED.

JCF



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cc:	Honorable Martin Glenn	
	Honorable Victor Marrero	
	Merrill G. Davidoff	Interim co-lead counsel for customer plaintiffs
	Andrew J. Entwistle	Interim co-lead counsel for customer plaintiffs
	Javier Bleichmar	Co-lead counsel for lead plaintiffs Her Majesty the Queen in Right of Alberta and the Virginia Retirement System
	Salvatore J. Graziano	Co-lead counsel for lead plaintiffs Her Majesty the Queen in Right of Alberta and the Virginia Retirement System, and counsel for Named Plaintiffs Government of Guam Retirement Fund and West Virginia Laborers' Pension Trust Fund
	John J. Witmeyer III	Counsel for Sapere CTA Fund L.P.
	Arthur Aufses III	Counsel for Bradley I. Abelow
	Christopher J. Barber	Counsel for Edith O'Brien
	James N. Benedict	Counsel for Michael G. Stockman
	Neil S. Binder	Counsel for Henri Steenkamp
	Gregory Boyle	Counsel for the Chicago Mercantile Exchange Inc. and the CME Group Inc.
	James J. Capra, Jr.	Counsel for PricewaterhouseCoopers LLP
	Therese Doherty	Counsel for Matthew Besgen and Sumit Advani
	G. Robert Gage, Jr.	Counsel for Tom Connolly, David Simons and Robert Lyons
	David A. Geier	Counsel for Matthew M. Hughey
	Adam S. Hakki	Counsel for Jefferies & Company, Inc., BMO Capital Markets Corp., Commerz Markets LLC, Natixis Securities North America Inc., Lebenthal & Co, LLC, Sandler O'Neill & Partners, L.P. and U.S. Bancorp Investments, Inc.
	Robert H. Hotz, Jr.	Counsel for Randy MacDonald
	Harris Kay	Counsel for Christy Vavra and Tim Mundt



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Helen B. Kim	Counsel for Dennis A. Klejna
Mark A. Kirsch	Counsel for Citigroup Global Markets, Inc., Deutsche Bank Securities Inc., Goldman Sachs & Co., J.P. Morgan Securities LLC, Merrill Lynch Pierce, Fenner & Smith Incorporated, and RBS Securities Inc.
Gregory J. O'Connell	Counsel for Vinay Mahajan
Edmund Polubinski III	Counsel for David P. Bolger, Eileen S. Fusco, David Gelber, Martin J.G. Glynn, Edward L. Goldberg, David I. Schamis, and Robert S. Sloan
Daniel E. Reynolds	Counsel for Laurie R. Ferber
Jayne S. Robinson	Counsel for Christine A. Serwinski
Laura Steinberg	Counsel for David Dunne.
Maeve O'Connor	Counsel for J.C. Flowers & Co. LLC.